

No. 00-3674

Before BOWMAN, BRIGHT, and LOKEN, Circuit Judges.

PER CURIAM.

Jason M. Green appeals the district court's¹ judgment for defendants following a jury trial in his 42 U.S.C. § 1983 action. He also appeals the district court's² earlier dismissal of several of his claims and defendants, and the various discovery, case management, and evidentiary rulings of the district court judges and two magistrate judges.³

Having carefully reviewed the record, we determine that the dismissal of portions of Green's complaint for failure to state a claim was proper, see Sisley v. Leyendecker, 260 F.3d 849, 850 (8th Cir. 2001)(standard of review); that the evidence amply supported the jury's verdict, see Cross v. Cleaver, 142 F.3d 1059, 1066 (8th Cir. 1998)(standard of review); that the trial rulings were proper, see DiCarlo v. Keller Ladders, Inc., 211 F.3d 465, 467 (8th Cir. 2000) (standard of review); that the grant of judgment as a matter of law on the one claim not submitted to the jury was proper, see Kinserlow v. CMI Corp., 217 F.3d 1021, 1025 (8th Cir. 2000) (standard of review); that the various discovery orders were not an abuse of discretion, see In re Missouri Dep't of Natural Res., 105 F.3d 434, 435 (8th Cir. 1997) (standard of review); that the orders declining to disqualify counsel were proper, see Cole v. Ruidoso Mun. Sch., 43 F.3d 1373, 1383 (10th Cir. 1994) (standard of review); and

¹The Honorable Thomas M. Shanahan, United States District Judge for the District of Nebraska.

²The Honorable William G. Cambridge, then Chief Judge, United States District Court for the District of Nebraska, now retired.

³The Honorable Kathleen A. Jaudzemis, United States Magistrate Judge for the District of Nebraska, and the Honorable Thomas D. Thalken, United States Magistrate Judge for the District of Nebraska, to whom the case was referred for disposition of pretrial matters pursuant to 28 U.S.C. § 636(b)(1)(A).

that the magistrate judge's decision not to recuse herself was not erroneous, see In re Fed. Skywalk Cases, 690 F.2d 1175, 1183 (8th Cir. 1982)(standard of review).

Accordingly, we affirm. See 8th Cir. R. 47B. Green's motion to file his reply brief out of time is granted. The motion of the City of Omaha to strike Green's appendix and part of his addendum is granted as to documents that were not before the district court.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.